

## IN THE HOUSE OF REPRESENTATIVES

## HOUSE BILL NO. 286

## BY WAYS AND MEANS COMMITTEE

## AN ACT

RELATING TO FEDERALLY FUNDED HIGHWAY PROJECT FINANCING; AMENDING SECTION 40-315, IDAHO CODE, TO REVISE THE DESCRIPTION OF AN ELIGIBLE PROJECT; AND PROVIDING LEGISLATIVE INTENT.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Section 40-315, Idaho Code, be, and the same is hereby amended to read as follows:

40-315. POWERS AND DUTIES – FEDERALLY-FUNDED HIGHWAY PROJECT FINANCING. (1) In order to address the increasing need for timely improvements to Idaho's highway transportation infrastructure, the board may:

(a) Enter into agreements with the Idaho housing and finance association in connection with the funding of highway transportation projects qualifying for reimbursement from federal funds.

(b) Approve and recommend federal highway transportation projects to the Idaho housing and finance association for financing by the association. Such federal highway transportation projects shall be eligible for federal-aid debt financing under chapter 1, title 23, United States Code, and approval by the federal highway administration as an advanced construction (AC) project thereunder. The board shall select and designate such transportation projects to be funded with bond proceeds from the following list of eligible projects:

ROUTE	PROJECT DESCRIPTION
US-95	SH-1 to Canadian border
US-95	Garwood to Sagle <u>(with southern termini of the project at approximately Wyoming Avenue)</u>
US-95	Worley to Setters
US-95	Thorn Creek to Moscow
US-95	Smokey Boulder to Hazard Creek
SH-16 Ext	South Emmett to Mesa with connection to SH-55
SH-16 Ext	I-84 to South Emmett
I-84	Caldwell to Meridian
I-84	Orchard to Isaacs Canyon
US-93	Twin Falls alternate route and new Snake River crossing
SH-75	Timmerman to Ketchum

1 US-20 St. Anthony to Ashton

2 US-30 McCammon to Soda Springs

3 (c) On and after July 1, 2008, all allocations of GARVEE bond proceeds shall be the  
4 sole responsibility and duty of the Idaho transportation board. The legislature shall have  
5 authority to approve a total GARVEE bond amount on an annual basis. However, the  
6 Idaho transportation board is directed to allocate bond revenue only among the projects  
7 listed in subsection (1)(b) of this section. In making its funding allocation for projects,  
8 the board shall take into consideration: the cost of the project and whether or not that  
9 project could be financed without bonding; whether the project is necessary to facilitate  
10 the traffic flow on vital transportation corridors; and whether the project is necessary to  
11 improve safety for the traveling public. On and after July 1, 2008, the board shall use  
12 due care in selecting projects for bonding and shall balance and coordinate the use of  
13 bonding with the use of highway construction moneys.

14 Notwithstanding the provisions of subsection (1)(b) of this section wherein eligible projects are  
15 listed for selection and designation by the board, if any of the designated projects are deemed  
16 to be ineligible by the board, the board shall have the authority to replace those projects with  
17 other projects listed in subsection (1)(b) of this section.

18 (2) Prior to issuance by the Idaho housing and finance association of any bonds or  
19 notes to finance highway transportation projects, the board shall certify to the association that  
20 sufficient federal transportation funds are available to make any payments required for such  
21 bonds or notes.

22 (3) The board shall limit annual, total cumulative debt service and other bond-related  
23 expenses as follows:

24 (a) In the 2006 legislative session for the fiscal year 2007 budget, total cumulative  
25 debt service and other bond-related expenses on federally-funded highway project  
26 financing shall be no more than twenty percent (20%) of annual federal-aid highway  
27 apportionments.

28 (b) In the 2007 legislative session for the fiscal year 2008 budget, total cumulative  
29 debt service and other bond-related expenses on federally-funded highway project  
30 financing shall be no more than twenty percent (20%) of annual federal-aid highway  
31 apportionments.

32 (c) In the 2008 legislative session for the fiscal year 2009 budget, total cumulative  
33 debt service and other bond-related expenses on federally-funded highway project  
34 financing shall be no more than twenty percent (20%) of annual federal-aid highway  
35 apportionments.

36 (d) In the 2009 legislative session for the fiscal year 2010 budget, total cumulative  
37 debt service and other bond-related expenses on federally-funded highway project  
38 financing shall be no more than twenty percent (20%) of annual federal-aid highway  
39 apportionments.

40 (e) In the 2010 legislative session for the fiscal year 2011 budget, total cumulative debt  
41 service and other bond-related expenses on federally-funded highway project financing  
42 shall be no more than thirty percent (30%) of annual federal-aid highway apportionments.

43 (f) Beginning with the 2011 legislative session for the fiscal year 2012 budget, or for any  
44 year thereafter, the thirty percent (30%) limit may be exceeded, but only by affirmative

1           action of both the house of representatives and the senate, and with the approval of the  
2           governor.

3           (4) In the event the board selects and designates to be funded with bond proceeds any  
4           of the transportation projects listed in subsection (1) of this section, and prior to entering  
5           into agreements with the Idaho housing and finance association as provided herein, the Idaho  
6           transportation department, as part of its annual budget request prepared pursuant to section  
7           67-3502, Idaho Code, shall include a request for bonding authority as a separate item of its  
8           budget request. This request for bonding authority shall include a list of planned highway  
9           transportation projects to be financed with such bond financing during the next succeeding  
10          fiscal year.

11          (5) By June 30 of each year, the board shall submit a report to the legislature concerning  
12          projects currently under construction using the bond financing as authorized by the provisions  
13          of this section, and shall include a list of planned highway transportation projects to be financed  
14          with such bond financing during the next succeeding fiscal year.

15          SECTION 2. LEGISLATIVE INTENT. It is the intent of the Legislature that Section 1  
16          of this act expand the southern boundary of the Garwood to Sagle project to approximately  
17          Wyoming Avenue in Hayden. All prior appropriations and bonding authority authorizations to  
18          the Idaho Transportation Department for the Garwood to Sagle project are hereby amended to  
19          include expenditures on that portion of the project between Garwood and the southern boundary  
20          of the project which is approximately Wyoming Avenue.